

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:10CR062-P-S

**DAVID WHITEHEAD and
LATIDUS WILLIAMS,**

DEFENDANTS.

ORDER CONTINUING TRIAL

These matters come before the court upon Defendant Whitehead's June 24, 2010 motion to continue [26]. After due consideration of the motions, the court finds as follows, to-wit:

Trial is currently set for July 19, 2010. Defense counsel requests a continuance to afford more time to receive and complete inspection of discovery material.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from July 19, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial. The time is also excludable as to Defendant Whitehead's co-defendant pursuant to 18 U.S.C. section 3161(h)(6) because the period of delay is reasonable and no motion for severance has been granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant Whitehead's June 24, 2010 motion to continue [26] is **GRANTED**;
- (2) Trial of this matter is continued **as to all remaining defendants** until Monday,

September 20, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from July 19, 2010 to September 20, 2010 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is August 30, 2010; and

(5) The deadline for submitting a plea agreement is September 7, 2010.

SO ORDERED this the 30th day of June, A.D., 2010.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE